

**Applicant requests a Special Exception under Section 2.16.050 B (Front and Side Street Yard Setbacks) in a C-4 zone.**

This would permit the existence of a building that is located to within 0' of the front property line and to within 0' of the side street property line.

The required front yard setback is 15' and the required side street yard setback is 10' in the C-4 (Commercial/Regional Commercial Districts) zone.

**BACKGROUND**

The applicant's building was built in 1969 encroaching in the front and side street yard setbacks. There are other properties within the same block on the same side of the street and directly across the street and directly across Sixth Street that are built to 0' of the front and side street property lines, at 700, 701, 722 and 801 S. Stanton Street. The applicant has also applied for a Special Permit (ZON09-00033) that is currently being processed by the Planning Division for a 100 percent parking reduction for this property.

**CALCULATIONS**

Required front yard setback = 15'

Requested front yard setback = 0'

Required side street yard setback = 10'

Requested side street yard setback = 0'

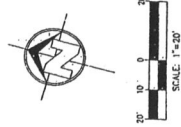
**STAFF RECOMMENDATION**

Staff recommends approval of the request as it meets the requirements of the Special Exception B.

The Zoning Board of Adjustment is empowered under Section 2.16.050 B to:

"Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years; and,
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street; and,
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots, and,
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception".



## LEGAL DESCRIPTION

[illegible]

## NOTES CORRESPONDING TO: SCHEDULE B

(X) TEASE, CONTINGENT AND SIMILAR KINDS OF CONTRACT BETWEEN CHARLES E. NEWMAN, TRUSTEE AND THE CITY OF EL PASO BLED PROPERTY RECORDS, EL PASO COUNTY, TEXAS, FROM NOT PLOTTED HEREON. IT IS BLANKET IN NATURE AND AFFECTS THE ENTIRE PROPERTY.

(Y) TEASE, CONTINGENT AND SIMILAR KINDS OF PARTY WELL AGREEMENT BETWEEN CHARLES E. NEWMAN, TRUSTEE AND THE CITY OF EL PASO DATED 07/25/1978 AS RECORDED IN VOLUME 124, PAGE 1870, NEAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS, ITEM IS NOT PLOTTED HEREON. IT IS BLANKET IN NATURE AND AFFECTS THE ENTIRE PROPERTY.

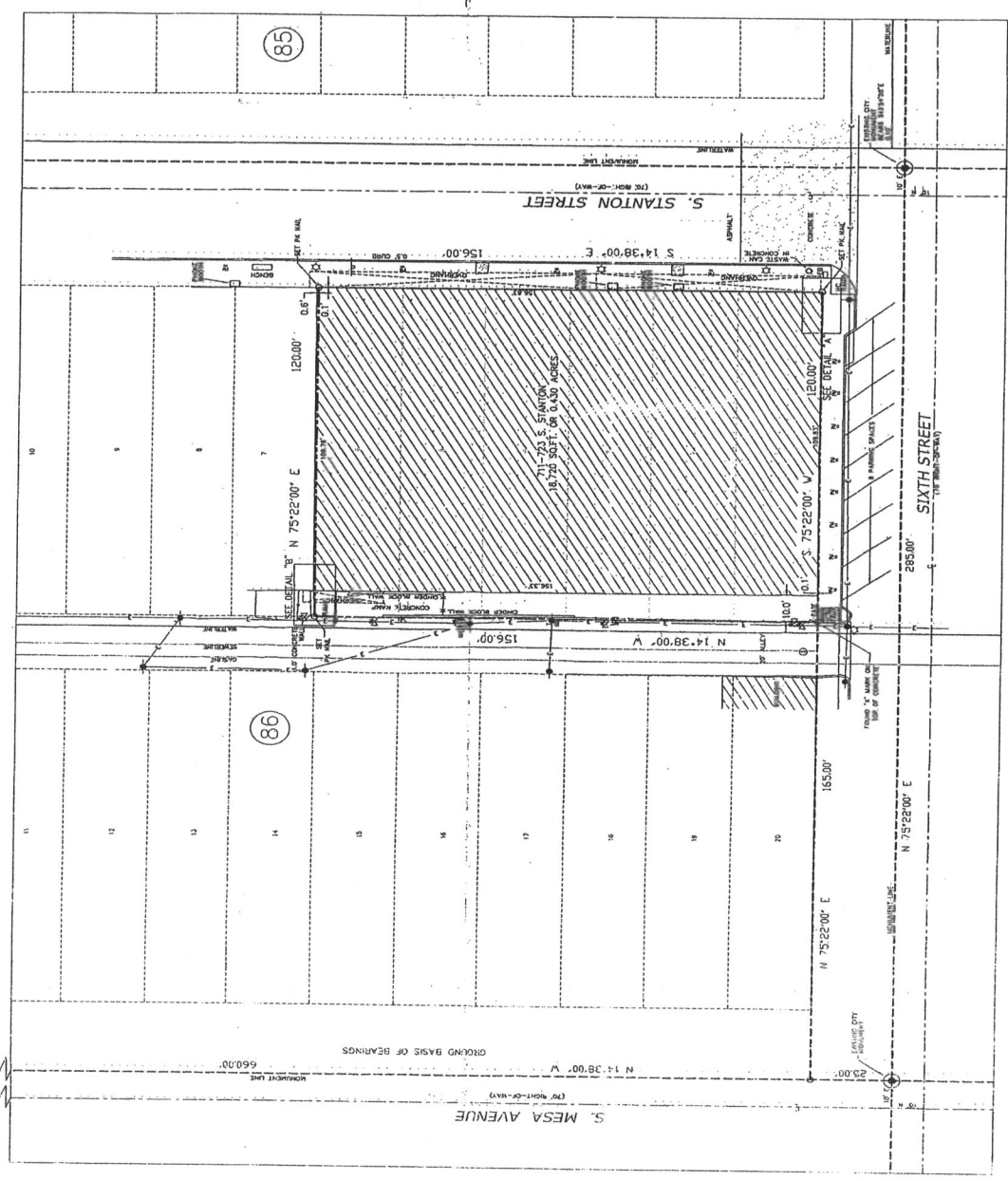
## NOTES CORRESPONDING TO: ZONING

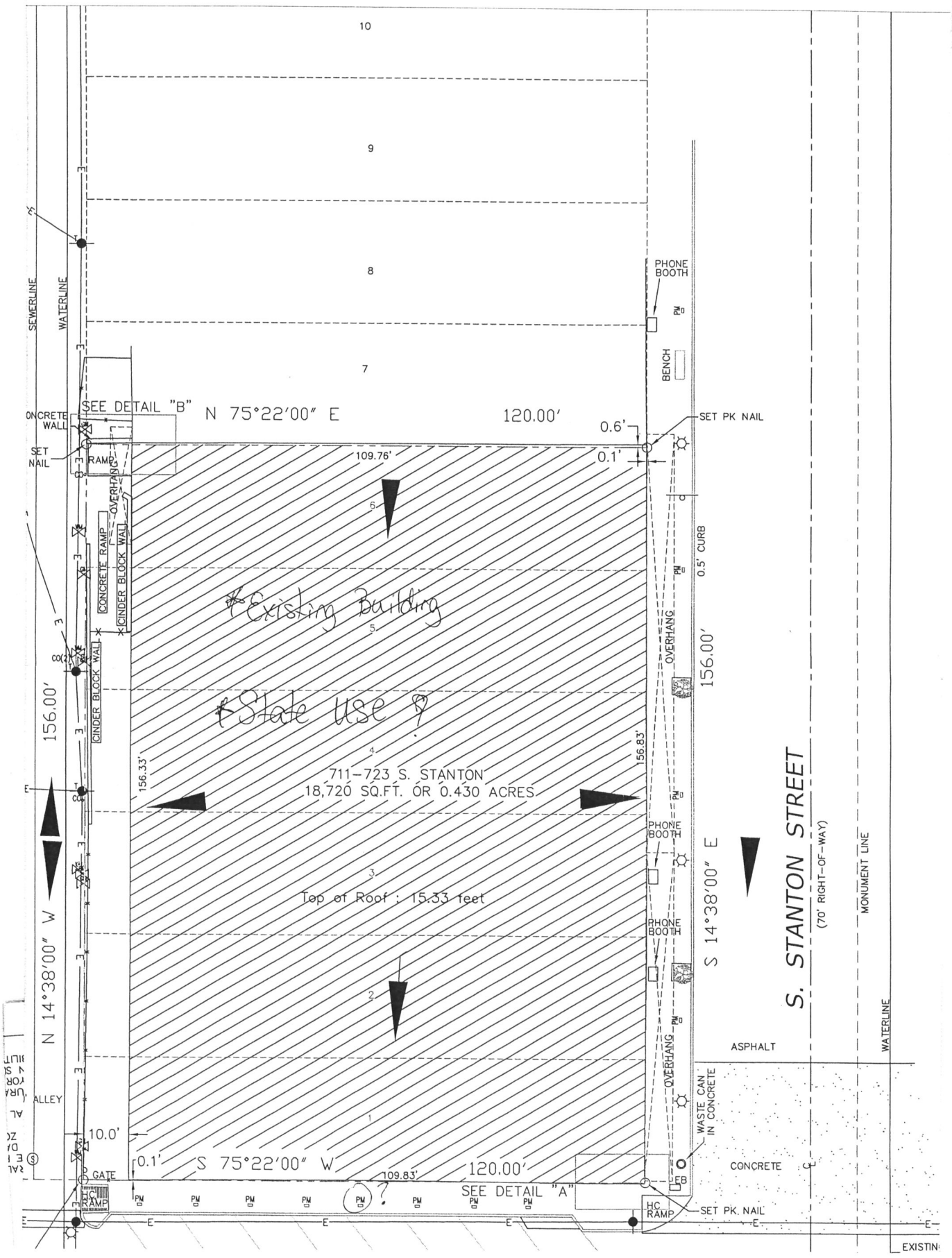
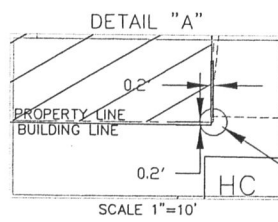
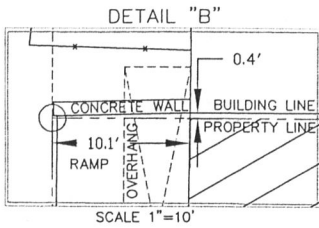
[illegible][illegible]

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT-  
AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL  
NUMBER 490714 0019 & DATED OCTOBER 14, 1982 THIS  
PROPERTY LIES IN FLOOD ZONE-C.

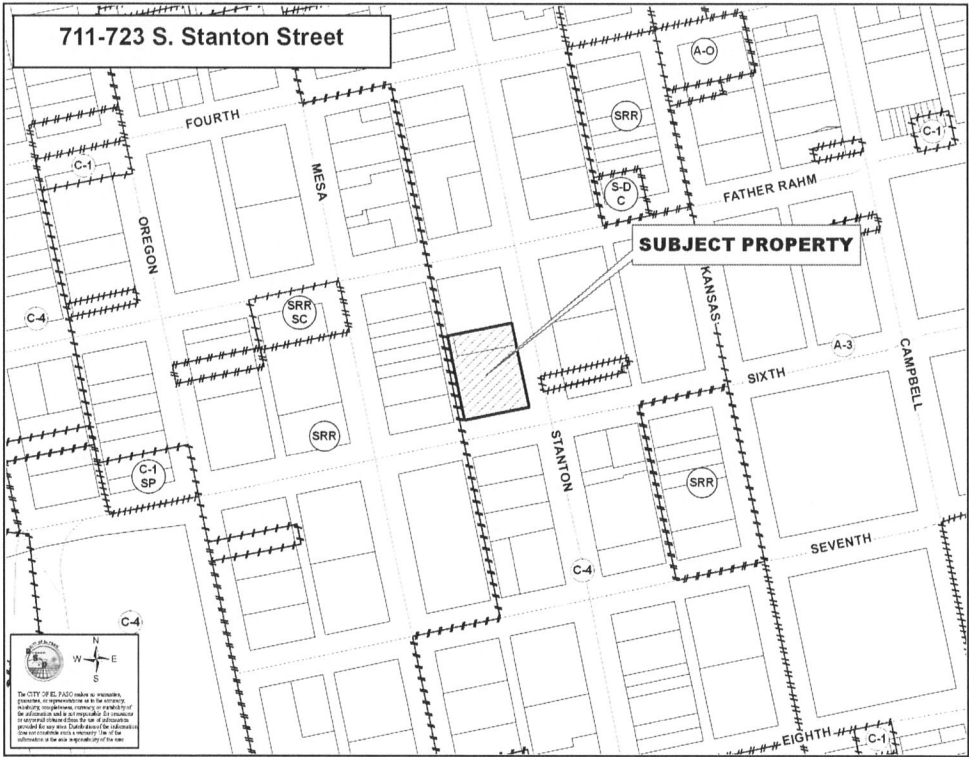
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CHALLENGE LEON POLS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS LICENSE NO. 2798  
DATE: 4-21-08

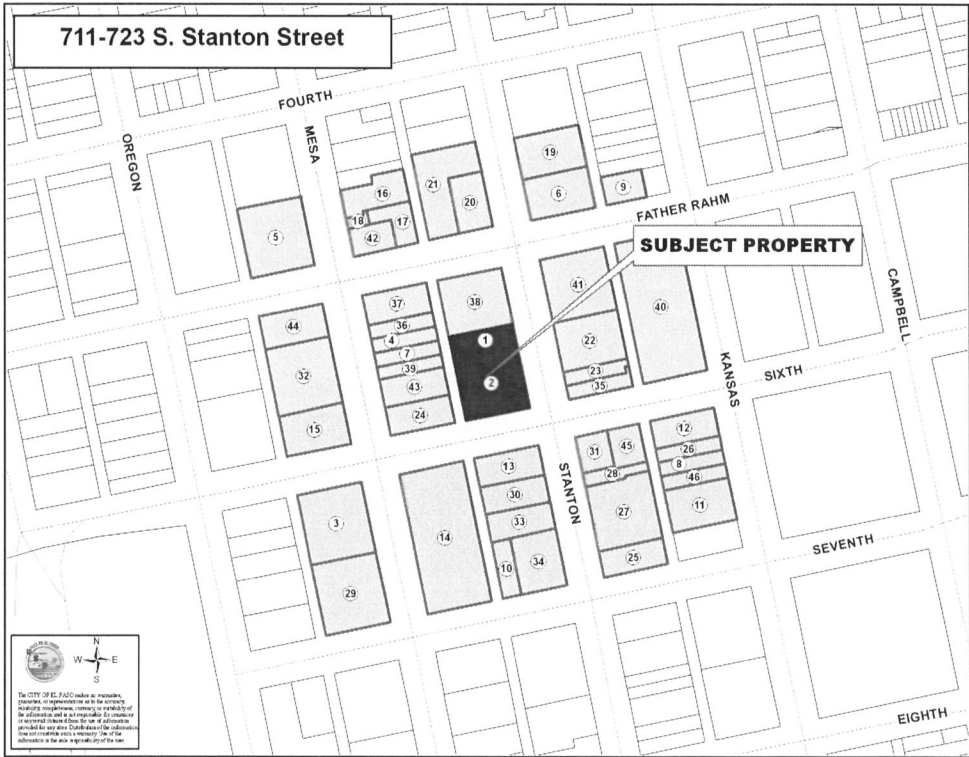




**ZONING MAP**



**NOTIFICATION MAP**



## AERIAL MAP

